



# BOARD OF ZONING ADJUSTMENTS

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Final Agenda

January 9, 2017

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## **MEETING INFORMATION**

### Location

#### **City Council Chambers**

1<sup>st</sup> Floor, City Hall  
1300 Perdido Street  
New Orleans, Louisiana

### Time

10:00 a.m.

### Board Members

Candice M. Forest – Chair

Todd C. James – Vice Chair

Jaime Ramiro Diaz

Alfonso Gonzalez II

Mary Harper Malone

Nikolaus Richard

Michael K. Broussard

The general public cannot speak  
with the members personally.

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The Board of Zoning Adjustments consists of seven citizen members appointed by the Mayor and approved by the City Council. The City Charter grants the Board the power to permit exceptions to or variations from the City's zoning regulations and to hear decision appeals from the Director of the Department of Safety and Permits in accordance with the principles, conditions, and procedures set forth in Article 14 of the City's Comprehensive Zoning Ordinance. The decision made by the Board will be provided in the form of a resolution. The resolution should be produced by **January 19, 2017**.

### General Rules of Order

Robert's Rules of Order govern the conduct of the meeting. Any member of the public may speak on any matter before the Board. If you wish to appear before the Board, please fill out a Speaker Card and place it in the box provided. When you are recognized by the Chairperson, state your name and address and speak directly into the microphone.

### Appeals

Any person or persons, or any officer, department, commission, board, bureau, or any other agency of the City of New Orleans jointly or singularly aggrieved by any decision of the Board of Zoning Adjustments may present to the Civil District Court of the Parish of Orleans, within thirty (30) days after filing of the decision in the office of the Board, a writ of certiorari asking for such relief and under such rules and regulations as are provided for such matters in appropriate legislation of the State of Louisiana.

**A. Call to Order, Roll Call, Adoption of Minutes, Communications and Reading of Hearing Rules**

**B. BZA Dockets – Current Comprehensive Zoning Ordinance - Unfinished Business**

**ITEM 1 – Docket Number: 094-16**

**Applicant or Agent:** Darrin Champagne  
**Property Location:** 920 Delaronde Street **Zip:** 70114  
**Bounding Streets:** Delaronde St., Elmira St., Pacific Ave., & Patterson St.  
**Zoning District:** HU-RD2 Two-Family Residential District  
**Historic District:** Algiers Point **Planning District:** 12  
**Existing Use:** Vacant Lot **Square Number:** 43  
**Provided Use:** Single-Family Residence **Lot Number:** E (Provided E1)  
**Project Planner:** Sabine Lebailleux (selebailleux@nola.gov)

**Request Citation:** This request is for a variance from the provisions of Article 11, Section 11.3.A.1. (Table 11-2A) of the Comprehensive Zoning Ordinance.

**Request:** This request is in conjunction with Subdivision Docket 108/16 to permit the creation of a lot with insufficient minimum lot area and insufficient minimum lot width.

**Requested Waiver:**

**Section 11.3.A.1 (Table 11-2A) — Minimum Lot Width**

Required: 30'                      Provided: 27'-5"                      Waiver: 2'-7"



**ITEM 2 – Docket Number: 095-16**

**Applicant or Agent:** Darrin Champagne  
**Property Location:** 920 Delaronde Street **Zip:** 70114  
**Bounding Streets:** Delaronde St., Elmira Ave., Pacific Ave., & Patterson St.  
**Zoning District:** HU-RD2 Two-Family Residential District  
**Historic District:** Algiers Point **Planning District:** 12  
**Existing Use:** Vacant Lot **Square Number:** 43  
**Provided Use:** Single-Family Residence **Lot Number:** E (Provided E2)  
**Project Planner:** Nicholas Kindel (njkindel@nola.gov)

**Request Citation:** This request is for a variance from the provisions of Article 11, Section 11.3.A.1. (Table 11-2A) of the Comprehensive Zoning Ordinance.

**Request:** This request is in conjunction with Subdivision Docket 108/16 to permit the creation of a lot with insufficient minimum lot width.

**Requested Waiver:**

**Section 11.3.A.1 (Table 11-2A) — Minimum Lot Width**

Required: 30'                      Provided: 27'-5"                      Waiver: 2'-7"



**ITEM 3 – Docket Number: 097-16**

**Applicant or Agent:** Scott Aertker, Bradford Carlisle Walker  
**Property Location:** 718-720 Gallier Street **Zip:** 70117  
**Bounding Streets:** Gallier St., Royal St., Desire St., Dauphine St.  
**Zoning District:** HMR-3 Historic Marigny/Tremé/Bywater Residential District  
**Historic District:** Bywater **Planning District:** 7  
**Existing Use:** Single-Family Residence **Square Number:** 174  
**Proposed Use:** Single-Family Residence **Lot Number:** 4 or 9  
**Project Planner:** Stosh Kozlowski (sakozlowski@nola.gov)

**Request Citation:** This request is for variances from the provisions of Article 21, Section 21.6.A (3) and Article 21, Section 21.6.A (7) of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of a shed with insufficient setback from the property line and excessive coverage of the required rear yard (**AFTER THE FACT**).

**Requested Waivers:****Article 21, Section 21.6.A (3) – Accessory Structures & Uses (Rear Yard Coverage)**

Required: Maximum 40%      Provided: 41%      Waiver: 1%

**Article 21, Section 21.6.A (7) – Accessory Structures & Uses (Interior Side Yard Setback)**

Required: 3'      Provided: 1'-9"      Waiver: 1'-3"

**ITEM 4 – Docket Number: 098-16**

**Applicant or Agent:** C. Spencer Smith Architects, Jason P. Mueller  
**Property Location:** 4018 Laurel Street **Zip:** 70115  
**Bounding Streets:** Laurel St., Constantinople St., Annunciation St., Marengo St.  
**Zoning District:** HU-RD2 Two-Family Residential District  
**Historic District:** N/A **Planning District:** 2  
**Existing Use:** Single-Family Residence **Square Number:** 149  
**Proposed Use:** Single-Family Residence **Lot Number:** 16  
**Project Planner:** Sabine Lebailleur (selebailleur@nola.gov)

**Request Citation:** This request is for a variance from the provisions of Article 11, Section 11.3.A.1 (Table 11-2A) of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit an addition onto an existing single-family residence, resulting in insufficient minimum side yard width (**AFTER THE FACT**).

**Requested Waiver:****Article 11, Section 11.3.A.1 (Table 11-2A) – Interior Side Yard Setback**

Required: 3 ft.      Provided: 2 ft. 5 in.      Waiver: 7 in.



**ITEM 5 – Docket Number: 101-16**

**Applicant or Agent:** Charley Bob Burnham, Jr.  
**Property Location:** 7024 General Haig Street **Zip:** 70124  
**Bounding Streets:** General Haig St., Walker St., Argonne St., Robert E. Lee Blvd.  
**Zoning District:** S-LRS1 Lakeview Single-Family Residential District  
**Historic District:** N/A **Planning District:** 5  
**Existing Use:** Single-Family Residence **Square Number:** 42  
**Proposed Use:** Single-Family Residence **Lot Number:** 31, 32  
**Project Planner:** Kelly Butler (kgbutler@nola.gov)

**Request Citation:** This request is for a variance from the provisions of Article 21, Section 21.6.A (3) of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of an accessory structure with excessive coverage of the required rear yard.

**Requested Waiver:****Article 21, Section 21.6.A (3) – Accessory Structures & Uses (Rear Yard Coverage)**

Required: 40% or 400 ft.<sup>2</sup>      Provided: 60% or 600 ft.<sup>2</sup>      Waiver: 20% or 20 ft.<sup>2</sup>

**ITEM 6 – Docket Number: 102-16**

**Applicant or Agent:** Kevin L. Robert, Brenda B. Robert, Beverly Katz  
**Property Location:** 2632-2634 Constance Street **Zip:** 70130  
**Bounding Streets:** Constance St., Third St., Laurel St., Fourth St.  
**Zoning District:** HU-RD2 Two-Family Residential District  
**Historic District:** Irish Channel **Planning District:** 2  
**Existing Use:** Single-Family Residence **Square Number:** 113  
**Proposed Use:** Single-Family Residence **Lot Number:** 6  
**Project Planner:** Nicholas Kindel (njkindel@nola.gov)

**Request Citation:** This request is for variances from the provisions of Article 21, Section 21.6.A.3, Article 21, Section 21.6.A.7, and Article 21, Section 21.6.A.8 of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of an accessory structure with excessive coverage of the required rear yard area and insufficient rear, interior side, and corner side yard setbacks.

**Requested Waiver:****Article 21, Section 21.6.A.3 – Accessory Structures and Uses (Rear Yard Coverage)**

Permitted: 168 ft<sup>2</sup> (40%)      Provided: 420 ft<sup>2</sup> (100%)      Waiver: 252 ft<sup>2</sup> (60%)

**Article 21, Section 21.6.A.7 - Accessory Structures and Uses (Interior Side Yard Setback)**

Required: 3'      Provided: 0'      Waiver: 3'

**Article 21, Section 21.6.A.8 - Accessory Structures and Uses (Corner Lot Rear Yard Setback)**

Required: 3'      Provided: 0'      Waiver: 3'

**Article 21, Section 21.6.A.8 - Accessory Structures and Uses (Corner Side Yard Setback)**

Required: 8'      Provided: 0'      Waiver: 8'

**ITEM 7 – Docket Number: 105-16**

**Applicant or Agent:** Belmont Land Holdings LLC, Charles Ward  
**Property Location:** 1239 Montegut Street **Zip:** 70117  
**Bounding Streets:** Montegut St., Urquhart St., Feliciana St., Marais St.  
**Zoning District:** LI Light Industrial District  
**Historic District:** N/A **Planning District:** 7  
**Existing Use:** Vacant Lot **Square Number:** 483  
**Proposed Use:** Warehouse **Lot Number:** 9-X-1-A  
**Project Planner:** Danica Adams (dcadams@nola.gov)

**Request Citation:** This request is for a variance from the provisions of Article 16, Section 16.3.A.1 (Table 16-2) of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit additions onto an existing warehouse, resulting in insufficient interior side yard setback.

**Requested Waiver:**

**Article 16, Section 16.3.A.1 (Table 16-2) – Interior Side Yard Setback**

Required: 15'                                  Provided: 5'                                  Waiver: 10'



**ITEM 8 – Docket Number: 106-16**

**Applicant or Agent:** Jacob H. McGregor  
**Property Location:** 2107-09 Annunciation Street **Zip:** 70130  
**Bounding Streets:** Annunciation St., Jackson Ave., Laurel St., Josephine St.  
**Zoning District:** HU-RD2 Two-Family Residential District  
**Historic District:** Lower Garden District **Planning District:** 2  
**Existing Use:** Single-Family Residence **Square Number:** 101  
**Proposed Use:** Single-Family Residence **Lot Number:** 4  
**Project Planner:** Cameron Bonnett (cdbonnett@nola.gov)

**Request Citation:** This request is for a variance from the provisions of Article 11, Section 11.3.A.1. (Table 11-2A) of the Comprehensive Zoning Ordinance.

**Request:** This request is in conjunction with Subdivision Docket 77/16 to permit the creation of a lot with insufficient minimum lot width.

**Requested Waiver:**

**Article 11, Section 11.3.A.1. (Table 11-2A) – Minimum Lot Width**

Required: 30'                                  Provided: 26'-4"                                  Waiver: 3'-8"



**ITEM 9 – Docket Number: 108-16**

**Applicant or Agent:** Urban Magazine Street Hotel, LLC, 315 Magazine Hotel Owner, LLC  
**Property Location:** 317-321 Magazine Street **Zip:** 70130  
**Bounding Streets:** Magazine St., Natchez St., Picayune Pl., Gravier St.  
**Zoning District:** CBD-2 Historic Commercial and Mixed-Use District Maximum FAR Subject  
**Historic District:** Picayune Place **Planning District:** 1a  
**Existing Use:** Vacant Lot **Square Number:** 166  
**Proposed Use:** Hotel/Motel **Lot Number:** 9, 10, 11  
**Project Planner:** Tyler Antrup (tjantrup@nola.gov)

**Request Citation:** This request is for a variance from the provisions of Article 17, Section 17.4.A.2 (a) of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit an addition onto an existing structure resulting in excessive height.

**Requested Waiver:**

**Article 17, Section 17.4.A.2 (a) – Building Height**

Required: 50'                      Provided: 63'-5" (54'-8" grandfathered)      Waiver: 8'-9"



**C.      BZA Dockets – Current Comprehensive Zoning Ordinance - New Business**

**ITEM 10 – Docket Number: 001-17**

**Applicant or Agent:** Noah Emerson  
**Property Location:** 7424 Hampson Street **Zip:** 70118  
**Bounding Streets:** Hampson St., Lowerline St., St. Charles Ave., Cherokee St.  
**Zoning District:** HU-RD1 Two-Family Residential District N/A  
**Historic District:** N/A **Planning District:** 3  
**Existing Use:** Single-Family Residence **Square Number:** 77  
**Proposed Use:** Single-Family Residence **Lot Number:** 23A  
**Project Planner:** Tyler Antrup (tjantrup@nola.gov)

**Request Citation:** This request is for a variance from the provisions of Article 11, Section 11.3.A.1 of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit an addition onto an existing single-family residence, resulting in insufficient minimum rear yard depth.

**Requested Waiver:**

**Article 11, 11.3.A.1 (Table 11-2A)- Rear Yard Setback**

Required: 15'                      Provided: 10'-2 3/4"                      Waiver: 4'-9 1/4"



**ITEM 11 – Docket Number: 002-17**

**Applicant or Agent:** 1446 Arabella, LLC, Mouton + Long Architects  
**Property Location:** 1446 Arabella Street **Zip:** 70115  
**Bounding Streets:** Arabella St., Garfield St., Nashville Ave., Hurst St.  
**Zoning District:** HU-RD2 Two-Family Residential District N/A  
**Historic District:** N/A **Planning District:** 3  
**Existing Use:** Vacant Lot **Square Number:** 57  
**Proposed Use:** Single-Family Residence **Lot Number:** 11, 12, Pt. 13, 14  
**Project Planner:** Nicolette P. Jones (nipjones@nola.gov)

**Request Citation:** This request is for a variance from the provisions of Article 11, Section 11.3.A.1 of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of a single-family residence with insufficient rear yard depth.

**Requested Waiver:**

**Article 11, 11.3.A.1 (Table 11-2A)- Rear Yard Setback**

Required: 15'                      Provided: 14'                      Waiver: 1'



**ITEM 12 – Docket Number: 003-17**

**Applicant or Agent:** Tulane/Canal Neighborhood Development Co  
**Property Location:** 2318 Bienville Avenue **Zip:** 70119  
**Bounding Streets:** Bienville Ave., N. Tonti St., Iberville St., N. Miro St.  
**Zoning District:** HU-RD2 Two-Family Residential District N/A  
**Historic District:** N/A **Planning District:** 4  
**Existing Use:** Vacant Building **Square Number:** 302  
**Proposed Use:** Single-Family Residence **Lot Number:** D  
**Project Planner:** Kelly Butler (kgbutler@nola.gov)

**Request Citation:** This request is for a variance from the provisions of Article 11, Section 11.3.A.1 of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of a single-family residence, resulting in insufficient minimum side yard width.

**Requested Waiver:**

**Article 11, 11.3.A.1 (Table 11-2A)- Interior Side Yard Setback**

Required: 3'                      Provided: 2'-1"                      Waiver: 11"



**ITEM 13 – Docket Number: 004-17**

**Applicant or Agent:** Gulf Coast Green Construction LLC  
**Property Location:** 5817 Franklin Avenue **Zip:** 70122  
**Bounding Streets:** Franklin Ave., Pressburg St., Eads St., Athis St.  
**Zoning District:** S-RS Single-Family Residential District  
**Historic District:** N/A **Planning District:** 6  
**Existing Use:** Vacant Lot **Square Number:** 4608  
**Proposed Use:** Single-Family Residence **Lot Number:** 21  
**Project Planner:** Timothy Jackson (thjackson@nola.gov)

**Request Citation:** This request is for a variance from the provisions of Article 13, Section 11.3.A.1 of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of a single-family residence with insufficient minimum lot width, lot area and off-street parking.

**Requested Waivers:**

**Article 13, 13.3.A.1 (Table 13-2)- Minimum Lot Width**

Required: 50 ft.      Provided: 26.67 ft.      Waiver: 23.33 ft.

**Article 13, 13.3.A.1 (Table 13-2)- Minimum Lot Area**

Required: 6,000 ft<sup>2</sup>      Provided: 1,667 ft<sup>2</sup>      Waiver: 3,333 ft<sup>2</sup>

**Article 22, 22.4.A-General Requirements (Table 22-1) - Off-Street Vehicle Parking Requirements**

Required: 1 space      Provided: 0 spaces      Waiver: 1 space



**ITEM 14 – Docket Number: 005-17**

**Applicant or Agent:** Gulf Coast Green Construction LLC  
**Property Location:** 5817 Franklin Avenue **Zip:** 70122  
**Bounding Streets:** Franklin Ave., Pressburg St., Eads St., Athis St.  
**Zoning District:** S-RS Single-Family Residential District  
**Historic District:** N/A **Planning District:** 6  
**Existing Use:** Vacant Lot **Square Number:** 4608  
**Proposed Use:** Single-Family Residence **Lot Number:** 22  
**Project Planner:** Timothy Jackson (thjackson@nola.gov)

**Request Citation:** This request is for a variance from the provisions of Article 13, Section 11.3.A.1 of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of a single-family residence with insufficient minimum lot width, lot area and off-street parking.

**Requested Waivers:****Article 13, 13.3.A.1 (Table 13-2)- Minimum Lot Width**

Required: 50 ft.      Provided: 26.67 ft.      Waiver: 23.33 ft.

**Article 13, 13.3.A.1 (Table 13-2)- Minimum Lot Area**

Required: 6,000 ft<sup>2</sup>      Provided: 1,667 ft<sup>2</sup>      Waiver: 3,333 ft<sup>2</sup>

**Article 22, 22.4.A-General Requirements (Table 22-1) - Off-Street Vehicle Parking Requirements**

Required: 1 space      Provided: 0 spaces      Waiver: 1 space

**ITEM 15 – Docket Number: 006-17**

**Applicant or Agent:** Hutton Team LLC, Raymond B. Williams  
**Property Location:** 10050-10060 Morrison Road **Zip:** 70127  
**Bounding Streets:** Morrison Rd., Read Blvd., Flossmor Dr., Restgate Rd.  
**Zoning District:** S-B2 Pedestrian-Oriented Corridor Business District  
**Overlay District:** ENORC & CT Overlay District **Planning District:** 9  
**Existing Use:** Vacant Lot **Square Number:** 2  
**Proposed Use:** Retail Goods Establishment **Lot Number:** 1B4A/ 1B4BA  
**Project Planner:** Danica Adams, Stosh Kozlowski (dcadams@nola.gov)

**Request Citation:** This is a request for variances from the provisions of Article 22, Section 22.2.D, and Article 22, Section 22.4.B of the Comprehensive Zoning Ordinance.

**Request:** This is a request to permit the construction of a retail goods establishment with more than 150% of the required minimum off-street parking spaces that are not constructed of permeable paving.

**Requested Waiver:****Article 22, Section 22.2.D. – Provision of Additional Vehicle Spaces**

Required: 16 spaces      Provided: 0 spaces      Waiver: 16 spaces

**Article 22, Section 22.4.B – Maximum Vehicle Parking Limitations**

Permitted: 22 spaces maximum      Provided: 31 spaces      Waiver: 9 spaces

**ITEM 16 – Docket Number: 007-17**

**Applicant or Agent:** Maged Gharably  
**Property Location:** 3316 Upperline Street **Zip:** 70125  
**Bounding Streets:** Upperline St., S. Johnson St., Robert St., S. Galvez St.  
**Zoning District:** HU-RD2 Two-Family Residential District  
**Historic District:** N/A **Planning District:** 3  
**Existing Use:** Multi-Family Residence **Square Number:** 736  
**Proposed Use:** Multi-Family Residence **Lot Number:** 7, 8  
**Project Planner:** Emily Ramírez Hernández (erhernandez@nola.gov)

**Request Citation:** This request is for a variance from the provisions of Article 21, Section 21.6.A.6 of the Comprehensive Zoning Ordinance.

**Request:** This request is to permit the construction of an accessory structure with excessive height **(AFTER THE FACT)**.

**Requested Waiver:**

**Article 21, 21.6.A.6 – Accessory Structures (Height)**

Permitted: 14' Provided: 17'-4" Waiver: 3'-4"



**D. Director of Safety and Permits Decision Appeals – New Business**

**ITEM 17 – Docket Number: 110-16**

**Applicant or Agent:** Sherman Strategies, LLC, Wayne C. Ducote  
**Property Location:** 2726-42 Perdido Street **Zip:** 70119  
**Bounding Streets:** Perdido St., S. Broad Ave., Pontchartrain Expy., S. White St.  
**Zoning District:** LI Light Industrial District  
**Historic District:** N/A **Planning District:** 4  
**Existing Use:** Parking Lot (Principal Use) **Square Number:** 600  
**Proposed Use:** Parking Lot (Principal Use) **Lot Number:** 28, 29, 30, 31

**Request Citation:** This is an appeal of a decision of the Director of the Department of Safety and Permits as per Article 4, Section 4.8 of the Comprehensive Zoning Ordinance.

**Request:** This is an appeal of the decision of the Director of the Department of Safety and Permits regarding the denial of an occupational license.



**E. Adjournment**